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SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1935.

No. 692

HARTFORD ACCIDENT AND INDEMNITY COMPANY,

Appellant,

vs.

THE PEOPLE OF THE STATE OF ILLINOIS Ex Rel. WALTER W. McLAUGHLIN, Director of Agriculture.

APPEAL FROM THE SUPREME COURT OF THE STATE OF ILLINOIS.

STATEMENT OPPOSING JURISDICTION.

Otto Kerner,
Attorney General of Illinois.

Louis Salinger,
Assistant Attorney General of Illinois.

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HARTFORD ACCIDENT AND INDEMNITY COMPANY, A CORPORATION,
Appellant,

vs.

THE PEOPLE OF THE STATE OF ILLINOIS EX REL., WALTER W. McLAUGHLIN, DIRECTOR OF AGRICULTURE,
Appellee.

APPEAL FROM THE SUPREME COURT OF ILLINOIS

Consolidated Causes.

Nos. 22532-22533.

THE PEOPLE OF THE STATE OF ILLINOIS EX REL., WALTER W. McLAUGHLIN, DIRECTOR OF AGRICULTURE,
(Plaintiff), Appellee,

vs.

G. H. CROSS COMPANY, A CORPORATION, AND HARTFORD ACCIDENT & INDEMNITY COMPANY, A CORPORATION,
Defendants.

ON APPEAL OF HARTFORD ACCIDENT AND INDEMNITY COMPANY, A CORPORATION, APPELLANT.

STATEMENT BY APPELLEE OF GROUNDS IN OPPOSITION TO APPELLATE JURISDICTION OF ABOVE COURT, PURSUANT TO SUPREME COURT RULE 12.

MAY IT PLEASE THE COURT:

The appellee states the following matters and grounds against the jurisdiction of this Court as asserted by the

appellant herein, in its statement of the basis of appellate jurisdiction filed herein on the 5th day of December, 1935, as required by Rule 12 of the Supreme Court.

I. The statutes relied on by appellant herein to sustain appellate jurisdiction of this Court, *ie*, Sec. 237 Judicial Code of the United States as amended 28 (U. S. C. A., Sec. 344) is not applicable to this case for the reason that said Commission Merchants Act (Ill. Session Laws 1919, p. 14, Revised Statutes 1935, Chap. 5, Pars. 24-32, pp. 75-77) in no manner places a burden on interstate commerce for the reason said act was passed by the legislature of the State of Illinois in exercise of police power of the State.

II. In support of this contention appellee cites the following cases:

Schechter Poultry Corporation et al v. *United States*, 295 U. S. 495.

Wiloil Corporation v. *Pennsylvania*, 294 U. S. 169.

Minnesota v. *Blasius*, 290 U. S. 1.

Mintz et al v. *Baldwin*, 289 U. S. 346.

Hall v. *Geiger-Jones Co.*, 242 U. S. 539.

Caldwell v. *Sioux Falls Stock Yards Co.*, 242 U. S. 559.

Merrick v. *Halsey & Co.*, 242 U. S. 568.

Sligh v. *Kirkwood*, 237 U. S. 52.

South Covington & Cincinnati Street Railway Co. v. *City of Covington*, 235 U. S. 537.

Minnesota Rate Cases, 230 U. S. 352.

Savage v. *Jones*, 225 U. S. 501.

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Patapsco Guana Co. v. *North Carolina*, 171 U. S. 345.

Plumley v. *Massachusetts*, 155 U. S. 461.

Bacon v. *Illinois*, 227 U. S. 504.
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Munn v. *Illinois*, 94 U. S. 113.

December 18, 1935.

Respectfully submitted,

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(7331-C)